

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No. 1:15-CV-559

CITY OF GREENSBORO, et al.,)
)
)
Plaintiffs,)
)
v.) MOTION TO DISMISS CITY OF GREENSBORO
)
PURSUANT TO FED R. CIV. P. 12(b)(1)
GUILFORD COUNTY BOARD OF)
ELECTIONS,)
)
Defendant.)

Melvin Alston, Jean Brown, Hurley Derrickson, Stephen Golimowski, Wayne Goodson, Earl Jones, Sharon Kasica, Jim Kee, and William Clark Porter (“Intervenors”) file this Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(1) as the Court lacks subject-matter jurisdiction to hear this claim because the Plaintiff City of Greensboro lacks standing to bring this action. Intervenors have filed a memorandum of law in support of this motion contemporaneously herewith. Intervenors request a hearing on this matter before the Court.

WHEREFORE, Intervenors respectfully requests that this Court dismiss all claims asserted by the City of Greensboro in this action for lack of standing pursuant to Fed. R. Civ. P. 12(b)(1).

This 25th day of August, 2015

NARRON, O’HALE AND
WHITTINGTON, P.A.

By: /s/ Benton G. Sawrey
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CERTIFICATE OF SERVICE

The undersigned attorney certifies that this day he has electronically filed the foregoing Motion to

Dismiss in the above-titled action with the Clerk of Court using the CM/ECF system, which provided notice of such filing to:

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Respectfully submitted this 25th day of August, 2015

/s/ Benton G. Sawrey
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